

EXPEDITED PROCEDURE**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Appl. No. : 09/887,208 Confirmation No.: 8401
Applicants : Brendon Conlan et al.
Filed : June 22, 2001
Title : **REMOVAL OF BIOLOGICAL CONTAMINANTS**
TC/A.U. : 1753
Examiner : Arun S. Phasge

Docket No. : 56104576-23
Customer No. : 26453

RECEIVED

AUG 10 2004

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICE OF PETITIONS**PETITION UNDER 37 C.F.R. §1.313(c)(2)**

Sir:

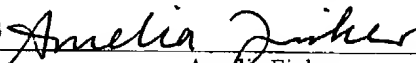
Applicants hereby petition pursuant to 37 C.F.R. §1.313(c)(2) that the Commissioner for Patents withdraw the above application from issue for consideration of a request for continued examination (RCE) under §1.114, in light of the fact that a Notice of Allowability was mailed on April 12, 2004 and the Issue Fee was paid on July 12, 2004, without an Information Disclosure Statement (to be supplied) having been considered by the Examiner.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 313(c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at (703) 872-9306 and (703) 305-4257 on August 10, 2004.

08/12/2004 AKELLEY 00000007 020393

09887208



01 FC:1460

130.00 DA

Amelia Finker

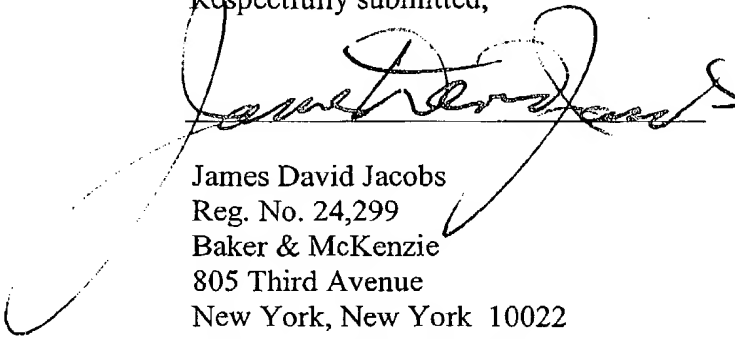
Appl. No. 09/887,208

RCE in compliance with §1.114 and is enclosed herewith. As the Information Disclosure statement contains voluminous references, it would be impracticable to submit these references via facsimile. In compliance with MPEP §609IIIB(4), Applicants will thus supply the Information Disclosure Statement under separate cover before the mailing of a first Office Action on the merits.

Applicants hereby authorize the Commissioner for Patents to charge the deposit account 02-0393 for the processing fee set forth in §1.17(h) associated with this petition. If any additional fees associated with this communication are required or to credit any overpayment, please use deposit account no. 02-0393.

Date: August 10, 2004

Respectfully submitted,



James David Jacobs
Reg. No. 24,299
Baker & McKenzie
805 Third Avenue
New York, New York 10022
Telephone (212) 751-5700
Facsimile (212) 759-9133

EXPEDITED PROCEDURE

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/887 208
	Filing Date	8/22/2004
	First Named Inventor	Brendon Conlan
	Art Unit	1753
	Examiner Name	Arun S. Phasga
Total Number of Pages in This Submission	Attorney Docket Number	56104676-23

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition 37 CFR 1.313(c)(2) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Continued Examination (RCE)
Remarks This correspondence is being sent to the USPTO via fax to 703-872-9306 and 703-305-4257 on 8/10/04.		
RECEIVED AUG 10 2004 OFFICE OF PETITIONS		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James David Jacobs, Esq. (Reg. no. 24,299)
Signature	
Date	August 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Amelia Finker		
Signature		Date	8/10/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.